

FILED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION

ROY WILLIAMS, JR. )  
Plaintiff, )  
vs. ) CV. 95-PT-2017-M  
TYSON FOODS, INC., )  
Defendant. )  
                        )

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U.S. DISTRICT COURT  
N.D. OF ALABAMA

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**ENTERED**

OCT 29 1997

**MEMORANDUM OPINION**

The court had earlier noted that the plaintiff had listed numerous witnesses. The court did not know prior to trial what various witnesses would testify. The court knew, from pretrial experiences, that it would be necessary to place time limits on the trial.

As the trial progressed, it became apparent that witnesses were being called haphazardly without regard to whether their testimony would or would not assist the plaintiff. Further, the plaintiff repeatedly and continuously, in violation of court orders, made comments, asked improper questions and otherwise delayed the progress of the trial.

Further, the court directed the defendant to have witnesses for the plaintiff present who had not been properly served. A point was reached where the court could not continue to unduly extend the trial. It is not fair to the other side or the jury

for the court to allow a mockery. There was duplicative, argumentative, time wasting questioning. See Rule 403. The court invites a review of the record.

This 29<sup>th</sup> day of October, 1997.



ROBERT B. PROPST  
SENIOR UNITED STATES DISTRICT JUDGE